

REMARKS

Claims 1-7 are pending in this application. By this Amendment, claims 1 and 4 have been amended. The amendment to claim 4 changes the word "judgement" to "judgment" to use the same spelling of the word as is used in claim 1. No new matter has been added.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Masinick in the August 25, 2005 personal interview. In particular, as agreed at the August 25 personal interview, the Amendment filed on July 8, 2005, and this Supplemental Amendment will be entered by Examiner Masinick. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

In paragraph 2, on page 3 of the Office Action, claims 1-7 were rejected under 35 U.S.C. §102, second paragraph. By this Amendment, claim 1 has been amended to clarify that the device makes a judgment that the probe contacts the workpiece when the output from the scale becomes less than the level of power being applied to the motor, and then reducing the power being applied to the motor; and subsequently controlling the power being applied to the motor based on a greater one of speed variations of the output of the scale and an output from the workpiece sensor when the output from the workpiece sensor varies.

As discussed at the interview, amended claim 1 and claims 2-7, which depend from claim 1, overcome a potential 35 U.S.C. §112, second paragraph, rejection. Therefore, withdrawal of the rejection is respectfully requested (see Interview Summary).

In paragraph 6, on page 4 of the Office Action, claims 1, 3-5 and 7 were rejected under 35 U.S.C. §102(b) as being anticipated by Takei, U.S. Patent No. 5,713,136. The rejection is respectfully traversed.

As agreed at the interview, Takei fails to disclose a probe driving mechanism for displacement measuring apparatuses for use in measuring the sizes of a workpiece without causing the workpiece to be deformed even when a probe is brought into contact therewith,

comprising a motor for driving the probe; a scale for detecting the displacement of the probe; a workpiece sensor for detecting the engagement of the probe with the workpiece; and a device for controlling a power being applied to the motor based on an output from the scale when the output from the scale varies based on the power applied to the motor; making a judgment that the probe contacts the workpiece when the output from the scale becomes less than the level of power being applied to the motor, and then reducing the power being applied to the motor; and subsequently controlling the power being applied to the motor based on a greater one of speed variations of the output from the scale and an output from the workpiece sensor when the output from the workpiece sensor varies, as recited in claim 1. The Examiner agreed that claim 1 patentably distinguishes over the applied reference.

Because Takei does not anticipate or suggest the features of claim 1, Takei cannot possibly anticipate or suggest the subject matter of claims 3-5 and 7, which depend from claim 1, for the reasons discussed with respect to claim 1 and for the additional features recited therein. As agreed at the interview, dependent claims are distinguished over Takei.

In paragraph 13, on page 5 of the Office Action, claims 2 and 6 are rejected under 35 U.S.C. §103(a) over Takei, as applied to claim 1, and in view of Japanese Patent JP 02-221801 A (Mitsutoyo Corporation). The rejection is respectfully traversed.

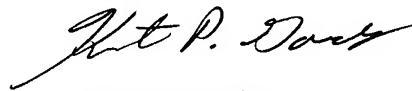
As agreed at the interview, Mitsutoyo fails to overcome the deficiencies of Takei as applied to claim 1.

Accordingly, neither of the applied references disclose or suggest all of the features recited in claim 1, so the references cannot possibly suggest claims 2 and 6, which depend from claim 1, for that reason and for the additional features recited. Thus, as agreed at the interview, the pending claims are patentable over the applied combinations.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-7 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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